

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

XOCKETS, INC.,

Plaintiff,

v.

Civil Action No. 6:24-cv-453

**NVIDIA CORPORATION,
MICROSOFT CORPORATION, and
RPX CORPORATION,**

Defendants.

JURY TRIAL DEMANDED

DECLARATION OF CHARLES FISH

I, Charles Fish, declare as follows:

1. I am the Senior Vice President of Tech+IP Advisory, LLC (“Tech+IP”). I am submitting this declaration in support of Xockets’ Inc. (“Xockets”) motion for a preliminary injunction. Unless otherwise specified, I have personal knowledge of the facts stated herein, and, if called as a witness, could and would testify to such facts competently under oath.

2. My firm, Tech+IP, performs monetization, capital formation and advisory services focused on deriving value from intellectual property. We were retained by Xockets to advise it on acquisition transactions and run an acquisition process.

3. In early 2024, Xockets engaged in a process to sell or license its technology. As part of the effort, NVIDIA and Microsoft were approached about the Xockets’ technology. Specific to NVIDIA, on March 27, 2024, Tech+IP emailed NVIDIA’s Vishal Bhagwati (Head of Corporate Development), Timothy Teter (Executive Vice President and General Counsel), David Shannon (EVP, Chief Administrative Officer and Secretary), and Rich Domingo (Director of Intellectual Property) Xockets’ information and a proposed NDA. Tech+IP separately followed up

with Mr. Domingo on April 2 and 9 and June 5, and Gady Rosenfeld (NVIDIA's Vice President, DPU Business) on May 2. On April 30, Xockets' representative also sent a follow up email to his original March 27 email to Messrs. Bhagwati, Teter, Shannon, and Domingo.

4. Specific to Microsoft, on March 27, 2024, Tech+IP emailed Microsoft's Christopher Young (Executive Vice President Business Development), Michael Wetter (Corporate Vice President, Corporate Development), and Nicholas Kim (Senior Corporate Counsel, IP Litigation) the teaser and a proposed NDA. He forwarded that email to Microsoft's Steve Bathiche a day later and Brad Smith (President) on April 2. On April 30, Xockets' representative also followed up the original email with Messrs. Young, Wetter, and Kim, and separately with Mr. Smith.

5. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

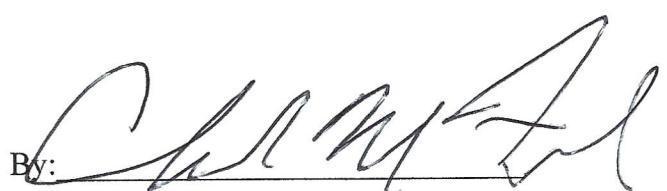
[REDACTED]

[REDACTED]

[REDACTED]

I declare under penalty of perjury and the laws of the United States of America that the foregoing is true.

Executed on September 5, 2024


By:

Charles Fish